

### REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully request reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action mailed February 26, 2008, Applicant has amended Claim 49 for further prosecution on the merits.

Applicant has also amended the Abstract of Disclosure to more accurately reflect the present invention defined by the amended Claims.

Applicant also submits under separate cover, a Supplemental Information Disclosure Statement (SIDS) to further reconstruct the state of knowledge in the art at the time the present invention was made.

Applicant believes that the amended Claims 49-58 clearly point out and distinctively claim the present invention over the prior art references of record, and are now in condition for allowance.

As recited in amended Claim 49, the Web-based consumer service marketing communication network ("Web-based network") of the claimed invention enables managing and delivering consumer *service* marketing communications to consumers at Websites along on the World Wide Web (WWW).

As recited in amended Claim 49, the Web-based network includes a first Web-based subsystem configured to allow members of the service management team for a registered consumer service, as well as other authorized parties, to create and manage a consumer service information (CSI) link structure for each registered consumer service.

As claimed, each CSI link structure comprises the following items:

- (i) a Unique Service Number (USN) assigned to the consumer service; and

(ii) a set of URLs for a plurality of consumer service information (CSI) resources stored on Web-based information servers operably connected to the WWW, and wherein the CSI resources can be selected by one or more members of the service management team and authorized parties to program the set of CSI resources for the consumer service.

As recited in amended Claim 49, the Web-based network includes a second Web-based subsystem configured to allow service management team members and authorized parties, associated with a registered consumer service, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer service so that each said deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in the Websites, and accessible by consumers using a Web browser.

Each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the USN assigned to the consumer service, and (ii) a MMVK tag embodying a unique URL that references the computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the Websites.

As recited in amended Claim 49, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, each MMVK displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer service information (CSI) menu display mode for displaying a set of CSI resources arranged for selection by the consumer using the Web browser.

As recited in amended Claim 49, the Web-based network includes a plurality of Web-based information servers operably connected to the WWW, storing and configured to serve one or more advertising spots, one or more promotional spots, and the set of CSI resources to the

Web browser, for display to the consumer through the plurality of independently programmable display modes of each MMVK.

As recited in amended Claim 49, the Web-based network includes a second Internet-enabled information server storing and configured to serve a library of MMVK tags on the WWW, for each registered consumer service, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the Websites.

As claimed, the second Internet-enabled information server is also configured to allow the service management team members and/or authorized parties to download at least one MMVK tag in the library, for installation in at least one HTML-encoded page located in at least one Website.

As recited in amended Claim 49, the set of URLs included the CSI link structure for a registered consumer service, specify the location of corresponding CSI resources stored on Web-based information servers located on the WWW. Also, a plurality of said CSI resources are selected by the service management team members and authorized parties to program one or more of the advertising, promotional and CSI menu display modes of the MMVK created and deployed for the registered consumer service associated with the CSI link structure.

As recited in amended Claim 49, the Web-based network also includes a third Web-based subsystem configured to allow the service management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of each MMVK with one or more promotional spots.

As claimed, when at least one CSI link structure has been created for a registered consumer service using the first Web-based subsystem, then the second Web-based subsystem is configured to allow the service management team members and authorized parties to create and deploy one or more MMVKs for registered consumer services, and also to access the library and

download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the Websites.

As claimed, the first Web-based subsystem is configured to allow service management team members and authorized parties to independently program the CSI menu display mode of each installed MMVK.

The third Web-based subsystem is configured to allow the service management team members and authorized parties to independently program the advertising and promotional display modes of each installed MMVK.

Upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the Website.

Dependent Claims 50-58 are directed to subordinate features of the Internet-based consumer service marketing communication network of the present invention.

Clear detailed support for the claimed invention is found throughout the Specification.

This novel system architecture of the Web-based consumer service marketing communication network of the present invention has a number of important benefits and advantages.

In particular, any branded consumer service provider can now quickly create, deploy and manage Web-based MMVKs for each and every service in the its service management system, and simply install and manage these MMVKs across all of its Web-based marketing and merchandising channels, at Websites along the WWW.

As each Web-based MMVK is a server-side driven, GUI-based marketing communication subsystem, tuned to a particular consumer service, accessible to consumers at points of presence along the fabric of the WWW, and having a plurality of programmable display modes, service managers have the capacity to compose and deliver the kinds of service brand experiences which they intend or wish consumers to have when they encounter their brand of services being offered for sale or otherwise marketed at WWW sites associated with network of the present invention.

Once a plurality of MMVKs have been installed at multiple WWW-Sites within the Web-based network of the claimed invention, the service management team members associated with the MMVKs can deliver high-impact brand experiences, self-service and value to consumers (e.g. via short rich media ads and promos and service demos and related brand information), providing the service provider with a voice at the online point of service offering.

A service providers entire consumer service catalog (managed by the USNs assigned to such services) can be quickly serviced by the Web-based marketing communication network of the present invention, and a MMVK automatically and quickly generated for each service.

Each MMVK on the Web-based network of the claimed invention has three independent modes of information display, and these display modes can be easily programmed by different members of the service management team (e.g. service information managers, advertising agencies, and promotional agencies) who typically have different responsibilities within a service brand management enterprise.

MMVKs deployed on the Web-based network of the claimed invention can function as virtual service showcases that allow service providers to deliver consistent marketing communications and merchandising of services to consumers at different touch-points along the WWW.

MMVKs deployed on the Web-based network of the claimed invention can also function as turnkey e-commerce stores to support e-commerce transactions along the WWW.

Using the Web-based network of the claimed invention, service management teams can exercise a high degree of control over their service brand information at points of consumer interest along the WWW, regardless of where such consumer service information resources may actually reside at locations (specified by URLs) on the WWW (e.g. stored on and served from global content delivery networks or CDNs, and Web-enabled content management/publishing systems).

Many other benefits of the Web-based consumer service marketing communication network of the claimed invention, will become apparent in view of the present Specification.

Applicant has carefully reviewed the prior art references, including US Patent Nos. 6,591,247 to Stern, 6,542,933 to Durst et al, 6,49,738 and 5,913,210 to Call, and 5,999,912 to Wodarz et al, and firmly believes, that when taken alone or in combination with each other, the prior art as a whole fails to disclose, teach or suggest Applicant's novel Web-based consumer service marketing communication network as defined by rewritten Claims 49-58, which is configured to allow a service management team to compose and deliver product brand experiences directly to consumers by way of server-side driven Multi-Mode Virtual Kiosks (MMVKS) installed at Websites along on the World Wide Web (WWW).

US Patent No. 6,591,247 to Stern discloses an IP-based digital content distribution network, wherein batteries of digital content (e.g. product information and advertisements) are combined together in a single distribution file (e.g. big format) at a centralized database server (i.e. NMC database 252c, Database files 352 and Builder 350) and then delivered to remote sites (e.g. physical retail kiosks, "wall of eyes" television sets etc) in physical retail stores, in either an interactive or non-interactive manner, on a per product basis. As disclosed, the interactive delivery method may be initiated by the consumer scanning a UPC code on a product of interest, in a brick and mortar store.

US Patent No. 6,542,933 to Durst et al discloses a system for delivering consumer product information on the Internet to a user's Web browser by providing the consumer

product's UPC number to a UPC/URL database server constructed in accordance with US Patent No. 5,978,773 to Hudetz et al.

US Patent Nos. 6,49,738 and 5,913,210 to Call discloses an Internet-based consumer product information delivery system which uses Perl-based CGI scripts to receive universal product codes (or parts thereof) from http requests generated from client browsers viewing HTML pages having anchor links requiring universal product code (UPCs) embedded therein.

US Patent No. 5,999,912 to Wodarz et al discloses an Internet-based advertising, scheduling and tracking system, employing (i) a computer executable server side component stored on an information server, and (ii) a HTML ad tag that is embeddable in an HTML-encoded page and references the server side component, allowing different ads to be swamped in and out, at different times (i.e. dynamically) according to changing consumer profiles, marketing conditions and the like.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein a first Web-based subsystem is configured to allow members of the service management team for a registered consumer service, as well as other authorized parties, to create and manage a consumer service information (CSI) link structure for each consumer service registered with the Web-based consumer service marketing communication network.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein the CSI link structure comprises the following items:

- (i) a Unique Service Number (USN) assigned to the consumer service; and
- (ii) a set of URLs for a plurality of consumer service information (CSI) resources stored on Web-based information servers operably connected to the WWW, and wherein the CSI resources can be selected by one or more members of the service management team and said authorized parties to program said set of CSI resources for the consumer service.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein a second Web-based subsystem is configured to allow service management team members and authorized parties, associated with a registered consumer service, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer service so that each deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in the Websites, and accessible by consumers using a Web browser.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein each MMVK is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the USN assigned to said consumer service, and (ii) a MMVK tag embodying a unique URL that references the computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein each MMVK, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer service information (CSI) menu display mode for displaying a set of CSI resources arranged for selection by the consumer using the Web browser.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein a plurality of Web-based information servers are operably connected to the WWW, for storing and configured to serve said one or more advertising spots, said one or more



promotional spots and said set of CSI resources to said Web browser, for display to the consumer through said plurality of independently programmable display modes of each said MMVK.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein a second Internet-enabled information server storing and configured to serve a library of MMVK tags on the WWW, for each registered consumer service, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein the second Internet-enabled information server is configured to allow the service management team members and/or authorized parties to download at least one MMVK tag in the library, for installation in at least one HTML-encoded page located in at least one Website.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein the set of URLs included the CSI link structure for a registered consumer service specify the location of corresponding CSI resources stored on Web-based information servers located on the WWW, and wherein a plurality of said CSI resources are selected by the service management team members and authorized parties to program one or more of the advertising, promotional and CSI menu display modes of the MMVK created and deployed for the registered consumer service associated with the CSI link structure.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein when at least one CSI link structure has been created for a registered consumer service using the first Web-based subsystem, then the second Web-based subsystem is configured to allow the service management team members and authorized parties to create and

deploy one or more MMVKs for registered consumer services, and also to access the library and download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the Websites.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein a third Web-based subsystem is configured to allow the service management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of the MMVK with one or more promotional spots.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein the first Web-based subsystem is configured to allow said service management team members and authorized parties to independently program the CSI menu display mode of each the installed MMVK.

The Stern, Durst, Call and Wodarz references each fail to disclose, teach or suggest the Web-based consumer service marketing communication network as defined by amended Claim 49, wherein upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one said Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the Website.

Clearly, Stern's digital content delivery network combines digital content together in a single distribution file (e.g. big format) at a centralized database server, for delivery to remote sites in physical retail stores, and using this distribution method, there is no need or motivation to provide anything like Applicant's server-side component driven MMVKs, as claimed, which

allows service management team members to program different display modes, and compose and deliver service brand experiences directly to consumers at Websites.

In marked contrast, Applicant's Web-based network does not combine digital content into a single distribution file as does Stern, but rather allows service management team members to program each display mode of each deployed MMVK independently from all other display modes, using URL links (managed by the CSI link structure) which are used by the consumer's Web browser to pull brand-building information resource content from Web-based information servers located wherever they may be located on the WWW. In short, Applicant's Web-based network as claimed, and Stern's network as disclosed, operate on radically different principles of operation.

In US Patent 6,542,933, Durst is focused on providing an Internet-based system for delivering consumer product information to a user's Web browser in response to providing the consumer product's UPC number to a UPC/URL database server (constructed in accordance with US Patent No. 5,978,773 to Hudetz et al). However, Durst does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed, which allows service management team members to program different display modes, and compose and deliver service brand experiences directly to consumers at Websites along the WWW.

In US Patent Nos. 6,49,738 and 5,913,210, Call is also focused on providing an Internet-based system for delivering consumer product information to consumers at EC-commerce enabled Websites, but by using Perl-based CGI scripts to receive universal product codes (or parts thereof) from http requests generated from client browsers viewing HTML pages having anchor links requiring universal product code (UPCs) embedded therein. However, like Durst, Call also does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed.

In US Patent No. 5,999,912, Wodarz et al. are focused on providing an Internet-based advertising, scheduling and tracking system, employing (i) a computer executable server side

component stored on an information server, and (ii) a HTML ad tag that is embeddable in an HTML-encoded page and references the server side component, so as to allow different ads to be swamped in and out, at different times (i.e. dynamically) according to changing consumer profiles, marketing conditions and the like. However, like Stern, Durst, and Call, Wodarz also does not provide any motivation for Applicant's Web-based network and its server-side component driven MMVKs, as claimed, which allows service management team members to program different display modes, and compose and deliver service brand experiences directly to consumers at Websites.

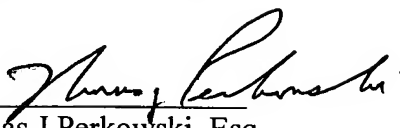
Thus, even when combining the disclosures of Stern, Durst, Call, Wodarz et al, and other prior art references made of record, Applicant firmly believes that the Web-based consumer service marketing communication network of the claimed invention is clearly not provided, or suggested.

In view therefore, of the Amendment and Remarks set forth above, Applicant firmly believes that the present invention defined by amended Claims 49-58 is neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,

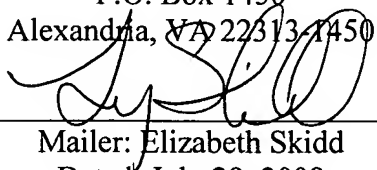
Dated: July 28, 2008

  
Thomas J Perkowski, Esq.  
Attorney for Applicant  
Reg. No. 33,134  
Thomas J. Perkowski, Esq., P.C.  
Soundview Plaza  
1266 East Main Street  
Stamford, Connecticut 06902  
203-357-1950  
<http://www.tjpatlaw.com>

CERTIFICATE OF MAILING UNDER  
37 C.F.R. 1.10

I hereby certify that this correspondence  
is being deposited with the United States  
Postal Service on July 28, 2008, in a  
Postage Prepaid envelope as, Express Mail  
(No. EM223904163US) addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
Mailer: Elizabeth Skidd  
Dated: July 28, 2008